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12 JULY 1956

OFFICE OF PERSONNEL MEMORANDUM NO. 20-705-5

SUBJECT: Termination of Employees for Security Reasons During
Probationary Period

25X1A

REFERENCES: [] dated 19 July 1955
[] dated 1 November 1954

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1. In the case of [], decided in the United States Court of Appeals for the District of Columbia on 19 April 1956, it was held that the Government may not utilize its authority to terminate a probationary employee under the normal administrative authorities applicable to such employees, i.e., failure to qualify during trial period, when, in fact, the termination was for security reasons. When it is a security case, the Court held that the procedures prescribed in P.L. 733 (5 U.S.C. 22-1) must be followed. (P.L. 733 was extended to all agencies and departments of the Government by Executive Order No. 10450, dated 27 April 1953.)

2. It will be recalled that this Agency has been confronted with this situation in instances where probationary employees were entered on duty prior to the completion of a full field investigation. In future cases of this type and in all other applicable probationary cases, the Agency shall be guided by the above decision when invoking the termination authority under P.L. 733 and E.O. 10450.

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Harrison G. Reynolds
Director of Personnel

OPM 38-56

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